



# FEES – THE DEPARTMENT OF HUMAN SERVICES

## 2017 GENERAL SESSION

SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE  
STAFF: CLARE TOBIN LENCE

### ISSUE BRIEF

#### **SUMMARY**

In accordance with UCA 63J-1-504, an agency is to “submit its fee schedule . . . to the Legislature for its approval on an annual basis.” The following fees are proposed for the services provided by the Department of Human Services (DHS).

These fees will generate an estimated \$4,680,800 in FY 2018. Seventy-four percent – or \$3,453,500 – of the total amount comes from five child support collection related fees.

The department proposes one new fee: “Child Placing Adoption.” The fee would be \$750 and charged to an agency providing adoption services. Previously these agencies were charged the “Child Placing Foster Care” fee of \$250, but the department determined that the fee did not cover the costs. DHS estimates that 20 agencies will pay this fee.

The department held a public hearing on the proposed new fee on September 2, 2016. Four DHS employees and no members of the public attended; no public input was received.

The department has not proposed any other fee changes for FY 2018.

#### **LEGISLATIVE ACTION**

The Fiscal Analyst recommends the Subcommittee, after review and any adjustments, adopt the fee schedule referenced on pages 2-3, Table 1. UCA 63J-1-504 states, “the Legislature may approve, increase or decrease and approve, or reject any fee submitted to it by a fee agency.”

#### **STATUTORY GUIDANCE FOR SETTING FEES**

UCA 63J-1-504 states the following for setting fees:

“(2) Each fee agency shall adopt a schedule of fees assessed for services provided by the fee agency that are:

- (a) reasonable, fair, and reflect the cost of services provided; and
- (b) established according to a cost formula determined by the executive director of the Governor's Office of Management and Budget and the director of the Division of Finance in conjunction with the agency seeking to establish the fee.”

“(4) Each fee agency that is proposing a new fee or proposing to change a fee shall:

- (a) present each proposed fee at a public hearing.”

#### **PROPOSED DEPARTMENT OF HUMAN SERVICES FY 2018 FEES**

Table 1 shows the proposed fee rates for FY 2018.

## Department of Human Services Fees FY 2018

Unit	Fee	Additional information	Old Fee	New Fee	Fee Change	Quantity	Rev. Change	Est. FY18 Revenue
Government Records Access and Management Act (GRAMA) Fees (all of these GRAMA fees apply for the entire Department of Human Services)		All of these GRAMA fees apply for the entire Department of Human Services						
	Paper		0.25	0.25	-	1,000	-	300
	Audio tape		5	5	-	20	-	100
	Video tape		15	15	-	10	-	150
	Compiling and reporting in another format		25	25	-	10	-	250
		If programmer/analyst assistance is required (per hour)	50	50	-	10	-	500
	Mailing	Actual cost	0	0	-	1	-	-
EDO Licensing	Child Placing Adoption		0	750	750	20	15,000	15,000
	Initial license	Any new Human Services program	900	900	-	125	-	112,500
	FBI Rapback	HB 145 (2015 GS) established fee.	13	13	-	1,000	-	13,000
	Western Identification Network (WIN) States Rapback	HB 145 (2015 GS) established fee.	5	5	-	16,165	-	80,800
	Recovery Residences	HB 211 (2014 GS) established fee.	1,295	1,295		8	-	10,400
	Adult Day Care	0-50 consumers per program	300	300	-	8	-	2,400
		more than 50 consumers per program	600	600	-	1	-	600
		Per licensed capacity	9	9	-	250	-	2,300
	Child Placing Foster		250	250	-	50	-	12,500
	Day Treatment		450	450	-	270	-	121,500
	Outpatient Treatment		300	300	-	460	-	138,000
	Residential Support		300	300	-	210	-	63,000
	Residential Treatment	Basic	600	600	-	190	-	114,000
		Per licensed capacity	9	9	-	3,900	-	35,100
	Social Detoxification		600	600	-	12	-	7,200
	Life Safety Pre-inspection		600	600	-	50	-	30,000
	Outdoor Youth Program	Basic	1408	1408	-	12	-	16,900
	Fingerprinting	Live scan passed through to the FBI	34.75	34.75	-	4,200	-	146,000
	Intermediate Secure Treatment	Basic	750	750	-	10	-	7,500
		Per licensed capacity	9	9	-	700	-	6,300
	Therapeutic School Program	Basic	600	600	-	7	-	4,200
		Per licensed capacity	9	9	-	150	-	1,400
DSAMH Admin.	Alcoholic Beverage Server	On Premise Sales	3.50	3.50	-	15,000	-	52,500
		Off Premise Sales	3.50	3.50	-	11,050	-	38,700

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Utah State Hospital	Photo Shoots	Per 2 hours	20	20	-	100	-	2,000
	Use of USH Facilities	Groups of up to 50 people (per day)	75	75	-	80	-	6,000
	Use of USH Facilities	Groups over 50 people (per day)	150	150	-	80	-	12,000
DSAMH Sub Abuse Services	Alcoholic Beverage Server	On Premise Sales	3.50	3.50	-	1,667	-	5,800
		Off Premise Sales	3.50	3.50	-	503	-	1,800
Utah State Developmental Center (USDC)	USDC Theater Rental	Full Day	0.10	0.10	-	68,000	-	6,800
		Theater Technician	0.00	20.00	-	160	-	3,200
		Hourly	0.0175	0.0175	-	51,400	-	900
		Half Day	0.07	0.07	-	60,000	-	4,200
DSPD Non-Waiver Services	Graduated	Critical Support Services for People with Disabilities who are non-Medicaid matched. The fee ranges between 1% to 3% of Gross Family Income.	630	630	-	9	-	5,700
ORS Child Support	Collections Processing	6 percent of payment being disbursed up to a maximum of \$12 per month.	12	12	-	214,167	-	2,570,000
	Automated Credit Card Convenience		2	2	-	18,000	-	36,000
	Assisted Credit Card Convenience		6	6	-	10,000	-	60,000
	Federal Offset		25	25	-	4,000	-	100,000
	Annual Collection Fee		25	25	-	27,500	-	687,500
DCFS Service Delivery	Live Scan Testing		10	10	-	14,500	-	145,000
<b>Total Estimated Revenue for FY 2015</b>								<b>4,680,000</b>

Table 1

## **APPENDIX – DESCRIPTION OF FEES**

**GRAMA Records paper, audio tape, video tape, reporting in another format, and records mailing – Department-wide** - Fees are for the costs associated with producing, providing, or compiling information requests and the delivery of that information.

**Initial License (new program) - \$112,500 – Office of Licensing** – \$900 per facility, initial licensing fee for new treatment programs not previously licensed by the department.

**FBI Rapback – \$13,000 - Office of Licensing** - \$13 per individual applicant to pay for a Utah background screening subscription.

**Western Identification Network (WIN) States Rapback - \$80,800 – Office of Licensing** - \$5 per individual applicant to pay for a Utah background screening subscription.

**Recovery Residences - \$10,400 – Office of Licensing** - \$1,295 per facility for initial or renewal of a license to provide services related to substance abuse disorder at a recovery residence.

**Adult Day Care (0-50 consumers/program) - \$2,400 – Office of Licensing** - \$300 per facility providing day care services to fewer than 50 vulnerable adults.

**Adult Day Care (>50 consumers/program) - \$600 – Office of Licensing** - \$600 per facility providing day care services to more than 50 vulnerable adults.

**Adult Day Care per licensed capacity - \$2,300 – Office of Licensing** - \$9 per person times the facility capacity added to base fee.

**Child Placing Adoption - \$15,000 – Office of Licensing** - \$750 per agency providing adoption.

**Child Placing Foster Care - \$12,500 – Office of Licensing** - \$250 per agency providing foster care.

**Day Treatment - \$121,500 – Office of Licensing** - \$450 per non-residential facility providing specialized treatment services to clients during the day.

**Outpatient Treatment – \$138,000 – Office of Licensing** - \$300 per facility providing individual therapy, group, or family counseling services.

**Residential Support - \$63,000 – Office of Licensing** - \$300 per facility providing residential support (i.e., supervised living environment, shelter care, sober living, etc.) services.

**Residential Treatment - \$105,000 – Office of Licensing** - \$600 per facility providing 24-hour specialized treatment services to persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.

**Residential Treatment per licensed capacity - \$31,200 - Office of Licensing** - \$9 per person times the facility capacity added to base fee.

**Social Detoxification - \$7,200 – Office of Licensing** - \$600 per facility providing non-medical detoxification services.

**Life Safety Pre-inspection - \$30,000 – Office of Licensing** - \$600 for a Life-Safety inspection per facility providing residential services for disabled persons as required by federal law.

**Outdoor Youth Program - \$16,900 – Office of Licensing** - \$1,408 per program providing youth wilderness therapy services.

**FBI Fingerprint Check (Live Scan) — \$146,000 - Office of Licensing** - \$34.75 per person requiring a fingerprint-based background screen via Live Scan.

**Intermediate Secure Treatment - \$7,500 – Office of Licensing** - \$750 per facility providing residential treatment services in a secure setting.

**Intermediate Secure Treatment per licensed capacity - \$6,300 – Office of Licensing** - \$9 per person times the facility capacity added to base fee.

**Therapeutic School Program - \$4,200 – Office of Licensing** - \$600 per facility providing therapeutic boarding school services.

**Therapeutic School Program per licensed capacity - \$1,400 - Office of Licensing** - \$9 per person times the facility capacity added to base fee.

**Alcoholic Beverage Server Fee (On Premise) - \$52,500 – Division of Substance Abuse and Mental Health** - A \$3.50 fee charged to maintain a database of individuals who have completed on-premise alcohol sales training.

**Alcoholic Beverage Server Fee (Off Premise) – \$38,700 – Division of Substance Abuse and Mental Health** - A \$3.50 fee charged to maintain a database of individuals who have completed off-premise alcohol sales training.

**Photo Shoots - \$2,000 – Utah State Hospital** – A \$20 fee per two hours charged for use of the grounds for photo shoots.

**Use of USH Facilities - \$6,000 – Utah State Hospital** – A \$75 fee charged per day for outside groups (up to 50 individuals) for use of portions of the State Hospital grounds in non-patient areas.

**Use of USH Facilities - \$12,000 – Utah State Hospital** – A \$150 fee charged per day for outside groups (over 50 individuals) for use of portions of the State Hospital grounds in non-patient areas.

**USDC Theater Full Day - \$6,800 – Utah State Developmental Center (USDC)** – A \$0.10 fee charged per square foot for rental of the USDC Theater for a full day. Units are based on estimate and subject to change.

**USDC Theater Technician - \$3,200 – Utah State Developmental Center (USDC)** – A \$20 fee charged per hour for use of sound, lighting, and/or stage equipment for a technician assistant. Units are based on estimate and subject to change.

**USDC Theater Hourly - \$900 – Utah State Developmental Center (USDC)** – A \$0.0175 fee charged per square foot for one hour rental of the USDC Theater. Units are based on estimate and subject to change.

**USDC Theater Half Day - \$200,000 – Utah State Developmental Center (USDC)** – A \$0.07 fee charged per square foot for half-day (up to 4 hours) rental of the USDC Theater. Units are based on estimate and subject to change.

**Graduated Fee - Critical Support Services for People with Disabilities (Non-Medicaid Matched) - \$5,700 – Division of Services for People with Disabilities** – Graduated fee is assessed based on ability to pay and is used to pay part of the cost of support services incurred by an individual with severe disabilities who does not participate in one of the division's federal Medicaid waiver programs.

**Recovery Services Collections Processing Fee - \$2,570,000 - Office of Recovery Services** – Fee based upon 6 percent of the payment being disbursed up to a maximum of \$12 per month.

**Automated Credit Card Convenience Fee - \$36,000 – Office of Recovery Services** – A \$2 assessed (collected) when ORS accepts a credit/debit card payment over an automated system (internet or automated phone system) for child support or other payments made by non-custodial/custodial parents or other non child support payments owed the State of Utah.

**Assisted Credit Card Convenience Fee - \$60,000 – Office of Recovery Services** – A \$6 fee assessed (collected) when ORS accepts a credit/debit card payment requiring worker assistance for child support or other payments made by non-custodial/custodial parents or other non-child support payments owed the State of Utah.

**Recovery Services Federal Offset - \$100,000 - Office of Recovery Services** – \$25 fee retained by ORS cover federal services charges for federal offset (e.g. federal tax refund) payments related to owed child support.

**\$25 Annual Collection Fee - \$687,500 - Office of Recovery Services** – \$25 annual one-time fee collected from child support payments made by non-custodial parent.

**Live Scan Testing Fees (DCFS) - \$145,000 - Division of Child and Family Services** – \$10 fee charged to foster parents, adoptive parents, kinship caregivers, proctor parents and contracted provider employees who will have direct access to children. These individuals have an electronic scan of finger prints sent to the Department of Public Safety Bureau of Criminal Identification to be run against Utah criminal records and the FBI criminal database. This testing fulfills State and federal law requirements. The fee partially offsets the cost for DCFS staff to administer the tests.